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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 8 OF 2025

1. Sachin R. Nair]
Age : 34 years, Occupation : Service]
2. Thankamani R. Nair]
M/O Sachin R. Nair]
Age : 58 years, Occupation : Homemaker]
3. Ramchandran Nair]
F/O Sachin R. Nair]
Age : 66 years, Occupation : Retired]
All R/at : Radhamit C.H.S. Flat No.A-303]
Plot No. 33, Sector – 18, Nerul (West),]
Navi Mumbai – 400706] ...Petitioners
(Org.Accused 1,2 & 3)

V/s.

1. The State of Maharashtra]
(Through CBD Belapur Police Station)]
Plot No. 8, Sakaram Patil Marg,]
Beside M.G.M. Hospital, Sector 1A,]
CBD Belapur, Navi Mumbai,]
Maharashtra 400614]
2. Neeraja Gopinathan Adiyodi]
Age : 31 years, Occupation : Service]
R/at: G-27, Girikunj C.H.S.,]
Sector – 8B, Kalimata Mandir Marg,]
CBD Belapur, Navi Mumbai,]
Maharashtra 400614] ...Respondents
Org.Complainant

Mr. Vinay V. Nair a/w. Mr.Venkatesh Jairam, Ms.Riddhi Tendulkar for Petitioners.

Smt. Savita M. Yadav, A.PP for Respondent No.1 – State.

Ms.Vandana Dalvi a/w. Ms.Shalaka Navghare for Respondent No.2.

Mr. Jadhav, PSI, CBD Police Station, Navi Mumbai present.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**

DATE : 02nd JULY, 2025

JUDGMENT (Per : A.S. Gadkari, J.):-

1) Husband (Petitioner No.1); mother-in-law (Petitioner No.2); and father-in-law (Petitioner No.3) have filed present Petition under Article 226 of the Constitution of India for quashing of R.C.C. No. 163 of 2025, pending on the file of Judicial Magistrate First Class, Belapur, Navi Mumbai arising out of C.R.No. 256 of 2024 dated 2nd November, 2024 registered with CBD Police Station, Navi Mumbai under Sections 498-A, 506 read with 34 of the Indian Penal Code, with the consent of Respondent No.2, the informant.

2) Ms. Dalvi, learned Advocate for Respondent No.2 submitted that Petitioner No.1 and Respondent No.2 have amicably settled their disputes and differences and had filed a Petition for dissolution of marriage by mutual consent, as contemplated under Section 13(B) of the Hindu Marriage Act, 1955, before the Family Court at Belapur, Navi Mumbai. That, the Family Court, Navi Mumbai has already disposed off the said Petition by its Judgment and Decree dated 9th April, 2025. In view of the

Consent Terms, the Respondent No.2 is giving her consent for quashing of the crime in question. That, the Respondent No.2 has affirmed an Affidavit dated 28th April, 2025, before a Notary Public. Learned Advocate for Respondent No.2 tendered across the bar Affidavit of Respondent No.2 dated 28th April, 2025.

2.1) Respondent No.2 is personally present in the Court and through her Advocate, reiterates the contents of her Affidavit dated 28th April, 2025 and her 'No Objection' for quashing of the crime in question.

3) In view of the above, Petition is allowed in terms of prayer clause (a).

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)